

ORIGINAL

ARNOLD & PORTER LLP
 MICHAEL A. BERTA (CA BAR NO. 194650)
 RYAN J. CASAMIQUELA (CA BAR NO. 228559)
 RACHEL L. CHANIN (CA BAR NO. 229253)
 Three Embarcadero Center, 10th Floor
 San Francisco, CA 94111-4024
 Telephone: 415.471.3100
 Facsimile: 415.471.3400
 Email: michael.berta@aporter.com
 Email: ryan.casamiquela@aporter.com
 Email: rachel.chanin@aporter.com

RECEIVED

MAR 25 2014

Attorneys for Non-Party Adobe Systems, Inc.

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

RECEIVED

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MAR 25 2014

SAN JOSE DIVISION

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

OPTIMIZE TECHNOLOGY SOLUTIONS, LLC,

Plaintiff,

vs.

STAPLES, INC., ET AL.,

Defendants.

CV 14 80095 MISC.

Misc. Case No. _____

HRL

[Related to Pending Action in the U.S. District Court for the Eastern District of Texas, Case No. 2:11-CV-419-JRG]

[PROPOSED] ORDER GRANTING NON-PARTY ADOBE SYSTEMS INCORPORATED'S MOTION TO QUASH AND MOTION FOR A PROTECTIVE ORDER IN RESPONSE TO OPTIMIZE'S DOCUMENT AND DEPOSITION SUBPOENAS

[PROPOSED] ORDER GRANTING ADOBE'S MOTION TO QUASH AND FOR A PROTECTIVE ORDER

1 Based on the motion submitted, the declaration thereto, the arguments of counsel, and good
2 cause appearing therefor, IT IS HEREBY ORDERED as follows:

3 This Court hereby GRANTS Adobe Systems, Incorporated ("Adobe") motion to quash in
4 their entirety (1) the Subpoena to Produce Documents, Information, or Objects or to Permit
5 Inspection of Premises in Civil Action to Non-Party Adobe ("Document Subpoena") issued by
6 Plaintiff Optimize Technology Solutions LLC ("Optimize"); and (2) the Subpoena to Testify at
7 Deposition to Non-Party Adobe ("Deposition Subpoena") issued by Plaintiff Optimize. Further,
8 this Court hereby GRANTS Adobe's motion for a protective order precluding Adobe from having
9 to further respond to Optimize's Document Subpoena or Deposition Subpoena.

10
11 **IT IS SO ORDERED**

12
13 DATED _____, 2014

14
15 _____
16 U.S. District Court Judge
17
18
19
20
21
22
23
24
25
26
27
28